

March 3, 2015
5:30 PM

The City Council of the City of Inverness met on the above date in Regular Session at 212 W. Main Street with the following members present:

President Hinkle
Vice President Hepfer
Councilwoman Bega
Councilman McBride
Councilman Ryan
Mayor Plaisted

Also present were City Manager DiGiovanni, City Attorney Haag, Asst. City Manager Williams, Community Development Director Malm, Event Director Skeelee-Hogan, Woodard & Curran Director M. Regina and City Clerk Davis.

The Invocation was given by Councilwoman Hepfer and the Pledge of Allegiance was led by the City Council.

ACCEPTANCE OF AGENDA

Council President Hinkle requested to move pre-scheduled appearances which includes the Boys and Girls Club to follow Public Hearings. Councilman Ryan motioned to accept the Agenda as presented with noted change. Seconded by Councilwoman Bega. The motioned carried.

PUBLIC HEARINGS

None

OPEN PUBLIC MEETING

Attorney James Neal, representing Mr. Michael Mountjoy, of 209 Courthouse Square property, item 10) a) on the agenda this evening, addressed council noting he would defer his comments until the item is addressed if the Council prefer.

SCHEDULED APPEARANCES

Boys & Girls Club of Citrus County - Ed Lattin, Ann Pope, & Mike Geffer, Executive Directors of the Citrus County Boys and Girls Club appeared before City Council to thank the City of Inverness for giving them the opportunity to exist in the east section of Citrus County, in the previous Police Dept. Bldg. Ed Lattin noted that on any given day, more children attend that facility, than in both other locations in the county combined, and was an excellent location, and a neighborhood club. The representatives from the Board of Directors thanked the City and presented them with a plaque signed by all of the kids at the Inverness Boys & Girls Club.

MAYOR'S LOCAL ACHIEVEMENT AWARDS

None

CITY ATTORNEY REPORT

None

CONSENT AGENDA

Councilwoman Hepfer motioned to accept the Consent Agenda. Seconded by Councilwoman Bega. The motion carried.

- a) Bill Listing*
 - Recommendation – Approval
- b) Council Minutes – 02/17 /15*
 - Recommendation – Approval
- c) Proclamation – “Florida Bicycle Month”*
 - Recommendation - Approval
- d) Proclamation – “Welcome Home Vietnam Veterans Day”
 - Recommendation – Approval
- e) Proclamation – “Boys & Girls Club Week in Citrus County”
 - Recommendation – Approval

CITY MANAGER’S REPORT

10)a) – 209 Courthouse Square –City Manager DiGiovanni stated that this was in regard to the 209 Courthouse Square and its relationship to the Valerie Theatre. The last time the item was discussed was December 16, 2014, with an appraisal and asking price, with no resolution, and with the understanding that staff would secure additional data with respect to appraisals and get with legal counsel. He reminded Council that Attorney Haag found it necessary to recuse himself from this issue, therefore the city secured representation, but they were not able to be present this evening. He advised that in the agenda packet, was information with regard to three (3) appraisals, and information from the property appraiser as well. We seek the ability to continue and finish the public project (Valerie Theatre) which involved plaza development, changes to pedestrian access, and removal of all overhead power (wiring) from the west side of N. Apopka to underground wiring.

Mr. Neal addressed City Council, distributing a letter with exhibits to Council. He stated that there has been misinformation with regard to Mr. Mountjoy’s Office. The letter lists things that have occurred in the history of the Valerie Theatre project, and the effect to Mr. Mountjoy’s property. He stated that Mr. Mountjoy is not interested in selling his property to the City, or the City utilizing any portion of his property for the Valerie Theatre Project, and believes it was a mistake on the City’s part by using private property for a public purpose, which has cast a bad light on them. He stated plans were drawn for the Theatre renovation utilizing a portion of Mr. Mountjoy’s property for a loading dock, without his consent, and adversely affected his property. Mr. Mountjoy proposes that his property be made whole to the condition prior to the project. They offer to have the City complete that side of the building and will allow access to finish the outside wall on the 209 Courthouse Square side of the building. He stated that there was cooperation from Mr. Mountjoy all along, as there was indication that the city was going to buy the property, and that did not happen.

City Manager DiGiovanni questioned the statement that there would be cooperation to complete the outside wall, and asked exactly what that would entail. Attorney Neal stated that the offer is to allow workers to stucco the outside wall as done on the other side to the wall, as long as it was done in a reasonable manner and as quickly as possible. City Manager DiGiovanni stated that since we have not read the letter presented this evening, with approval of City Council, that we table this item to the next meeting if necessary and allow the manager's office to see what this letter involves.

Council President Hinkle thought we should table till next meeting.

Councilman McBride commented that this seems to be heading to the best possible outcome, and thanked Mr. Mountjoy in allowing the project to continue and hopes to have a satisfactory outcome.

Councilwoman Hepfer motioned to authorize the City Manager to take any and all action at the office's disposal to work with these individuals to come to reasonable conclusion. Seconded by Councilman Ryan. The motion carried unanimously.

Attorney Neal stated that although they are tabling the item, they did have to wait to start working on the outside of that building.

10)b) Board Member Resignation – Jake Blanton – CEB was addressed by City Manager DiGiovanni, noting how Jacob “Jake” was a well-known figure in city government and a big part in the developing history of Inverness, and had served on this board for over 25 years. Due to personal reasons, Mr. Blanton finds it necessary to resign from the Code Enforcement Board, and his wisdom and knowledge will be missed.

Councilwoman Bega motion to accept the resignation of Jacob Blanton from the Code Enforcement Board, with great regret. Seconded by Councilwoman Hepfer. The motion carried.

10)c) Approval of Continuing City Board Members was addressed by City Manager DiGiovanni. He referenced the attached listing of members of the Board and/or Commission who wished to be reappointed to the boards/commissions they were currently serving in the following capacities: Planning & Zoning Commission; Zoning Board of Adjustment; Inverness Community Redevelopment Agency; and the Architectural/Aesthetic Review Committee. Councilmembers thanked all the board members for their volunteer service.

Councilwoman Hepfer motioned to re-appoint the listed members to the Boards and Commissions as submitted. Seconded by Councilman Ryan. The motion carried unanimously.

10)d) Approval of New Board Member – Brad Gibbs – CEB – City Manager DiGiovanni advised that Mr. Gibbs has expressed interest to voluntarily serve on the Code Enforcement Board and has submitted an application (attached in the agenda packet), to seek consideration. Staff believes that Mr. Gibbs will be a good addition to the committee. City Manager stated to council the importance of getting information out there to get people on these boards.

Councilman Ryan motioned to appoint Mr. Brad Gibbs to serve on the Code of Enforcement Board, in a position of regular status. Seconded by Councilwoman Bega. The motion carried.

10)e) Cooter Pond Board Walk Bid Award- re: lighting project. City Manager DiGiovanni stated how this has been a difficult situation and is a project that was previously bid, and things didn't go well. The project remains incomplete and we have re-let the totality of the project. Before council, is a solid proposal from Himes Electric Company, who was one of the original bidders of this project. He referenced information in the agenda packet that has been reviewed extensively by a consultant, to get us through the challenges of this project and which Attorney Haag has reviewed. The budget is structured to support what is before you. This has been a difficult task, will be further evaluated, and everything currently on the boardwalk that is not usable will be completely removed. This is about not only lighting the boardwalk, but lighting it so the wiring, piping, conduit, joints, etc. remain in place. The lights are LED and programmable, with a proposed price of \$102,390, and hope to have and it is recommended to proceed and authorize us to engage this firm. We hope to hold a ribbon cutting around August or September, 2015.

Councilwoman Bega motioned to award the Completion Contract for the Cooter Pond Boardwalk Lighting project RFP (re-let) to Himes Electric Company, Inc. and authorize the Council President to execute the document. Seconded by Councilwoman Hepfer. The motion carried unanimously.

10)f) Independence Highway Honorary Designation - City Manager DiGiovanni advised that at the last County Government meeting, the County took steps to name Independence Highway in honor as Dr. Ronald Dumas, which is partly in the County and the City. He asked if City Council is willing to join the intents of county government in naming the road after him. As this is an honorary naming, the addresses will remain known as Independence Highway. Dr. Dumas has made a substantial impact in our County and this community for decades.

Councilwoman Hepfer motioned to support the county's initiative to designate Independence Highway in named honor of Dr. Ronald Dumas Highway. Seconded by Councilwoman Bega. The motion carried.

10g) Budget Transfer – ICRA Legal Fees - City Manager DiGiovanni noted this involved ICRA funds and that the Board took steps at their last meeting to recognize what County government did to delay the eventual expansion of the redevelopment area. It is respectfully requested that the City Council give them the support they seek. Councilwoman Bega questioned if this is preparing for a lawsuit. City Manager DiGiovanni explained that with this action, if the County objects further, we will be ready to deal with this and will continue to move forward.

Councilwoman Hepfer motioned to approve the enclosed budget transfer in the amount of \$25,000. Seconded by Councilman Ryan. The motion carried.

10)h) CRA Expansion was addressed by City Manager DiGiovanni. He advised that this Expansion & Plan Update for the Inverness Community Redevelopment Agency (ICRA), originally established in 1990, was addressed again in 2014 as the current plan and service to the area will sunset in coming years, and could be extended and/or expanded with appropriate actions. Those actions were carried out in good faith with notice being hand-delivered to the County Commission along with a copy of the modified

ICRA plan. It appears that there were technical objections and allegations of legal insufficiency at the County, which weren't shared with the city, in which there was a time element involved. Although the City took substantial compliance measures, and to avoid dispute, remedial action is being taken to preserve the policy direction of the City Council and ICRA. He explained that if the County objects, the City can still hear those objections in a required process and timely adopt these documents so that the increment revenue is not diminished. The State legislature has set policy that the City has the option to improve the area. We have come up with plans to improve the Community Redevelopment Area and it is the cities responsibility, per statutory language.

He noted two documents before Council for consideration: 1) a supplemental "finding of necessity resolution; and 2) a supplemental Ordinance which will implement the process. These are unusually being presented for two readings (both the Resolution and Ordinance) March 3rd & March 17th. A public hearing on both have been noticed for both (by registered mail and publication). At the regular council meeting of March 17th, the ICRA Board will convene as well and jointly take action to keep this process timely and to preserve the integrity of the expanded CRA to secure the tax increment.

He advised that the City will go before the County with a supporting resolution to have them recognize this and give them the opportunity to work together.

President Hinkle spoke to the inference that this came about after the sale of the Hospital, and questioned when we began on this process. City Manager DiGiovanni noted this began years ago. With the knowledge the CRA Plan was sunseting in the upcoming year, we thought it the best opportunity to deal with this concurrently. When we began this process the Hospital was still a Not-for-Profit and they were looking to have Tampa General here, keeping it Not-for-Profit.

Councilwoman Bega stated that when the ICRA area is expanding, the taxes paid in that area are not any more to the people paying them, and that money is designated to stay within that area. It also gives us (the City) the opportunity to apply for more grants to increase the amount of money to go into those areas.

Councilman McBride expressed his appreciation to ICRA Board and how they are supported by Council. He stated that the City of Inverness is in Citrus County, and as the City improves it is improving the County.

Councilman McBride motioned to have the City Clerk read Resolution 2015-05 by title only. Seconded by Councilman Ryan. The motion carried.

RESOLUTION NO. 2015-05

A RESOLUTION OF THE CITY OF INVERNESS RELATING TO COMMUNITY REDEVELOPMENT; FINDING THE EXISTENCE OF BLIGHTED AREA CONDITIONS WITHIN THE CITY OF INVERNESS, FLORIDA; MAKING CERTAIN FINDINGS AND DETERMINATIONS; FINDING A NEED FOR EXPANDING THE EXISTING COMMUNITY REDEVELOPMENT AREA PURSUANT TO CHAPTER 163, PART III, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Councilman Ryan motion to acknowledge that Resolution 2015-05 will be adopted upon the second reading and consideration on March 17th, after a public hearing on this remedial measure. Seconded by Councilwoman Hepfer. Motion carried unanimously.

Councilwoman Hepfer motioned to have the City Clerk read Ordinance 2015 - 710 by title only. Seconded by Councilman McBride. The motion carried.

ORDINANCE 2015-710

AN ORDINANCE OF THE CITY OF INVERNESS RELATING TO COMMUNITY REDEVELOPMENT; CONFIRMING, RATIFYING, AND SUPPLEMENTALLY ADOPTING A MODIFICATION TO THE INVERNESS COMMUNITY REDEVELOPMENT PLAN; EXPANDING THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AREA; EXTENDING THE TIME CERTAIN TO COMPLETE REDEVELOPMENT FINANCED BY TAX INCREMENT REVENUES; PROVIDING DIRECTION AND AUTHORITY CONCERNING REDEVELOPMENT FINANCING AND THE ISSUANCE OF REDEVELOPMENT REVENUE BONDS; PROVIDING FOR AMENDMENT OF PART II, CHAPTER 2, ARTICLE V, SECTION 2-203, REDEVELOPMENT TRUST FUND, OF THE CITY OF INVERNESS CODE OF ORDINANCES; PROVIDING FOR RESTATEMENT AND REPEAL OF INCONSISTENT ORDINANCES; RESERVING RIGHTS; PROVIDING SEVERABILITY; PROVIDING FOR LIBERAL INTERPRETATION AND CORRECTION OF ERRORS, IF ANY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Councilwoman Bega motioned to adopt Ordinance 2015-710 on the first reading, subject to public hearing, and second reading noticed and scheduled for consideration on March 17th, after a public hearing on this remedial measure, by roll call vote. Seconded by Councilman McBride. Roll call vote was as follows:, Councilman Ryan, yes; Councilwoman Bega, yes; Councilman McBride, yes; Councilwoman Hepfer, yes; President Hinkle, yes. The motion carried.

10) i) Citrus County Chamber Legislative Delegation Trip to the Capitol

City Manager DiGiovanni provided information with regard to 2015 Legislative Day trip to Tallahassee on March 19, 2015 which is sponsored by the Citrus County Chamber of Commerce. Wanted Council to be aware of the date and what was involved. No action was required of the Council.

10)j) Community Garden Concept (Verbal)

City Manager DiGiovanni spoke to the nine-point agreement presented to County government, with attention on the Business Park near the airport that was to be built in 1999. County government is again wanting to build the Business Park, although it is currently not zoned for that use. They have spoken of building this for 16 years, and what's to say they are going to do it now? For years there have been discussions at this dais to develop a community garden. With insufficient room in the city for this project, we may need to look at this 10 acre piece of property to be used for what is in the interest of this community. This property is adjacent to the Wastewater Treatment Plant which produces reclaimed water that can be used to irrigate crops. Council may want to

consider putting this property to use, with the help of various groups and organizations, to help the community understand healthy eating, eating local, etc.

Councilwoman Hepfer agreed this is a wonderful idea but stated that County government may change the property zoning in the next week.

Council President Hinkle spoke to the nine point agreement with the County and their lack of action.

City Manager stated that if Council is comfortable staff will proceed to make this happen. This concept brings opportunity to the youth, agricultural community, school system, etc. through the vehicle of the community garden. Council consensus was to move forward.

City Manager DiGiovanni additionally reported on the following:

- Little League Opening Day was this past Saturday and was surprised that no one on City Council was invited to throw out the first pitch. He spoke of how the park needs to become more affordable for the City to maintain.
- E-Cigarette Ordinance will be on next agenda, as it is now ready to be presented to Council.
- Spoke to a national publication naming the City of Inverness as #2 regarding one of the favorite places to retire both in Florida and the nation, and how this will have an impact within the next couple years.

COUNCIL/MAYOR SUBJECTS

Mayor Plaisted spoke to enjoying the Boys & Girls Club invitation to visit their club, and how valuable the clubs are to our children. Spoke of Jake Blanton's resigning from the Code Enforcement Board and the pleasure of working with him for many years. Commented on the #2 recognition for the best city for retirement.

Councilwoman Hepfer spoke to Mr. Blanton who was a great asset to the City. She spoke of the voluntary community boards and thanked the many board members who do volunteer their time. She and Councilwoman Bega attended the water school put on by UF/SWFWMD in conjunction with the County, and found it very beneficial and interesting.

Councilwoman Bega liked the idea of a Community Garden, and agreed the water school was very interesting, including the various speakers, and suggested they include the lakes and rivers in next year's presentation.

Councilman McBride agreed it was great visiting the Boys & Girls Club, and grateful for the people overseeing it. Spoke to events including the Little League Opening Day, ribbon cutting, etc. He stated his appreciation to Mr. Mountjoy's action regarding the property on Courthouse Square.

Councilman Ryan attended the Friday Night Thunder and it was well attended. All of the restaurants were full. He spoke to the great presentation at the Boys & Girls Club. The Gun Supply ribbon cutting was the best attended. We are not only #2 for retirement, but #1 with veterans support, and the most patriotic city in the nation.

Council President Hinkle stated the Council's support of the whole county, be it the parks, etc. He applauded school board, the Boys and Girls Club, the health department and appreciate all they do. He spoke of how successful the community garden will be.

CITIZENS NOT ON AGENDA

None

The meeting adjourned at 7:02pm.

City Clerk

Council President